THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.3485 of 2007

Between:

Siripurapu Shaji Rao and another. .. PETITIONERS

and

The Special Deputy Collector
(Tribal Welfare) and others.
..
RESPONDENTS

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ORDER:

It is the case of the petitioners that they are the owners of

Ac.13-07 gts. of land in Sy.No.525 situated at Buradaraghavapuram village, Enkuru Mandal, Khammam District.

On a report filed by the Special Deputy Tahsildar (Tribal Welfare), Bhadrachalam, stating that the possession of the said land by the petitioners is in contravention of sub-section (1) of Section 3 of A.P.Scheduled Areas Land Transfer Regulation 1/59 as amended by Regulation 1/70, the 1st respondent through order, dated 18-08-2006, in L.T.R.Case No.74/2004/ENK, ordered ejectment of the petitioners from the land in question and to take over the same to the possession of the Government.

Aggrieved by the same, the petitioners filed an appeal along with stay application before the 2nd respondent on 26-10-2006 and the same are pending.

It is stated that pending disposal of the appeal, the 3rd respondent is taking steps to dispossess the petitioners from the land in question.

As the appeal is pending before the 2nd respondent, without expressing any opinion on the merits of the case, I am of the opinion that it is just and proper to direct the 2nd respondent to dispose of the appeal itself.

The writ petition is, accordingly, disposed of directing the 2nd respondent to consider and dispose of the appeal, as expeditiously as possible, in accordance with law, after giving reasonable opportunity to all the concerned. Pending disposal of the appeal, the petitioners shall not be dispossessed from the land in question. There shall be no order as to costs.

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23-02-2007

Note:

Issue C.C. in two days

(B/o)

Prv